

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

KYLE B. RICHARDS,

Plaintiff,

v.

Case Number: 11-cv-10929
Honorable Thomas L. Ludington

ERIC SMITH, et.al.,

Defendants.

_____ /

JUDGMENT

IT IS ORDERED AND ADJUDGED that pursuant to this Court's Opinion and Order entered on this date, this cause of action is **DISMISSED WITH PREJUDICE** except to the extent that Plaintiff's claims fall under the rubric of *Heck v. Humphrey*, 512 U.S. 477 (1994), which claims are **DISMISSED WITHOUT PREJUDICE**.

s/Thomas L. Ludington

THOMAS L. LUDINGTON

United States District Judge

Dated: May 16, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney of record herein by electronic means and upon Kyle Richards, #340573, at Macomb County Jail, P.O. Box 2308. Mt. Clemens, Mi 48043 by first class U.S. mail on May 16, 2011.

s/Tracy A. Jacobs

TRACY A. JACOBS